IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 206 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BANESHWARI TYRES AND REMOULD WORKS

Versus

CHAIRMAN, GSRTC

Appearance:

MR HASHIM QURESHI for Petitioner

MR NV ANJARIA for Respondent No. 1, 2

CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of decision: 10/02/2000

ORAL JUDGEMENT

After some arguments, the learned counsel for the petitioner, on instructions from his client, seeks permission to withdraw this petition without prejudice to

the petitioner's right to resort to arbitration clause and also with a view to make a representation to the respondent-authorities for releasing the amount which has been forfeited and other reliefs. The petitioner is permitted to withdraw the petition and the petition therefore stands rejected. Rule is discharged with no order as to costs.

2 If any representation is made for release of the amounts already forfeited, then, it will be for the respondent-corporation to consider the same sympathetically having regard to the quantum of the forfeited amount and to take its own decision in the matter. It is stated by the learned counsel for the petitioner that having regard to the controversy involved, the petitioner will not reagitate the issue by invoking the writ jurisdiction of the Court on any point connected with these proceedings.

****

(mohd)